

Memorandum of Understanding (MOU)
between the U.S. Department of Energy (DOE) and
the State of Alaska

1. PURPOSE

The U.S. Department of Energy (DOE) and the State of Alaska (State) enter into this agreement to facilitate coordination and cooperation between the parties under subtitle D of the Energy Employees Occupational Illness Compensation Program Act of 2000 (Act) (Pub.L.106-398).

2. AGREEMENT AND UNDERSTANDING BETWEEN DOE AND THE STATE

DOE and the State enter into this agreement to facilitate operation of the DOE contractor worker assistance program, established pursuant to subtitle D of the Act, under which DOE may assist former or current contractor employees in filing claims under the State of Alaska workers' compensation system.

1. Pursuant to subtitle D, the DOE will provide assistance to DOE contractor employees in filing claims under the State of Alaska workers compensation system for an illness caused by exposure to a toxic substance at a DOE facility in accordance with the process set forth at 10 CFR Part 852.
2. A positive determination pursuant to Part 852 has no effect on the scope of State workers compensation proceedings, the conditions for compensation, or the rights and obligations of the participants in the proceeding; provided that consistent with subtitle D such a determination will prevent DOE and may prevent a DOE contractor from contesting an applicant workers compensation claim, and DOE may agree to indemnify a DOE contractor/insurer for State of Alaska workers' compensation claims.

3. AREAS OF COOPERATION

1. DOE agrees to promptly notify the State of Alaska Workers' Compensation Division's that DOE has accepted as DOE work-related illnesses caused by exposure to toxic substances. The DOE further agrees to forward all information to the State of Alaska Division of Workers Compensation used in their determinations.
2. DOE agrees to promptly refer all former or current contract employees who apply for assistance under subtitle D to the Alaska Workers Compensation Division to file a State of Alaska workers' compensation claim.
3. Upon request by the DOE, the State agrees to provide, in a timely manner, information concerning the status or outcome of a workers compensation claim filed with the Alaska Workers' Compensation by a DOE contractor employee or the employee estate.

4. IMPLEMENTATION

The DOE office responsible for implementation of this agreement is the Office of Environment, Safety and Health. The State official responsible for the implementation of this agreement is the Director of Workers' Compensation.

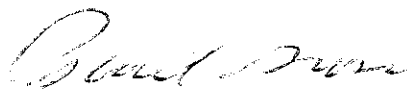
5. AMENDMENT AND TERMINATION

This Agreement may be amended or modified upon written agreement by both parties to the Agreement. The Agreement may be terminated upon ninety (90) days written notice by either party.

6. EFFECTIVE DATE

This Agreement is effective when signed by both parties.


Beverly A. Cook
Department of Energy


Director of Workers' Compensation
State of Alaska

Dated: 9-13-02